

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Promanco, Inc.,

Plaintiff,

v.

**Horizon Retail Construction,
Inc., et al.,**

Defendants.

Case No. 2:16-cv-430

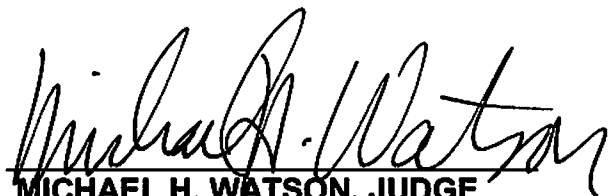
**Judge Michael H. Watson
Magistrate Judge Jolson**

ORDER

On November 17, 2016, the United States Magistrate Judge issued a Report and Recommendation, ECF No. 39, recommending that, upon agreement of the parties, Defendants Grand Central Parkersburg, LLC, and WP Glimcher, Inc. be dismissed with prejudice from this action. The United States Magistrate Judge further recommended that the motions to dismiss filed by Defendants Horizon Retail Construction, Inc., Hot Topic, Inc., Grand Central Parkersburg, LLC, and WP Glimcher, Inc., ECF Nos. 23 and 24, be denied as moot. *Id.* There has been no objection to the Report and Recommendation.

The Report and Recommendation, ECF No. 39, is hereby **ADOPTED** and **AFFIRMED**. Defendants Grand Central Parkersburg, LLC and WP Glimcher, Inc. are **DISMISSED with prejudice** from this action. The motions to dismiss, ECF Nos. 23 and 24, are **DENIED** as moot. The Clerk is **DIRECTED** to remove these motions from the Court's pending motions list.

IT IS SO ORDERED.


**MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT**